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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,830	12/07/2001	John J. Jetzt	Jetzt	7754
7590	10/04/2004		347840-A-01-US/AVAY	
RYAN MASON & LEWIS, LLP JOSEPH B. RYAN 90 FOREST AVENUE LOCUST VALLEY, NY 11560			EXAMINER GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,830

Applicant(s)

JETZT, JOHN J.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-12, 13-19, 21-15, 26-31, 33-38, 39-43, 45-49, 50-54, 56-60, 61-62, 64-68, and 69 are rejected under 35 U.S.C. 102(b) as being anticipated by Neil et al. (US Pat. 4,803,718).

In reference to claims 1, 10, 11, 14, 21, 24, 25, 30, 36, 37, 40, 47, 48, 51, 58, 59, 62, 66, 67, Neil discloses a) the claimed first circuit adapted to provide a differential voltage based on input signals, the first circuit providing a differential voltage based on input signals of opposite polarity received from a first pair of network pathways and b) the claimed second circuit adapted to supply the differential voltage based on input signals, the a second circuit adapted to supply the differential voltage based on input signals of opposite polarity received from a second pair of network pathways, which is met by circuit elements 20-23, 29, 33 and 37 function together so as to periodically detect each line voltage, convert the line voltage from differential to ground referenced form, determine the absolute value of the voltage, and further convert the analog line voltage to digital signals (col. 8, lines 25-61). Amplifiers 20-23 constantly monitor the D.C. differential voltages of lines 1-4 and convert the differential input voltage to a proportional ground-referenced analog voltage signal available at the output. A dialing network 14 providing

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2-wire to 4-wire conversion, and power supply 17 converts the D.C. supply voltage to suitable voltage levels to power the system (col. 7, lines 1-11). Circuit 33 functions so as to provide the absolute value of the input signal applied via line 32 at the output via line 36 such that the circuit operates properly regardless of the polarity of the input connections at T1-R1, T2-R2 (col. 8, lines 25-61).

In reference to claims 2, 15, 41, 52, Neil discloses the claimed first and second circuits comprise discrete devices, which is met by the circuit elements may be replaced by discrete elements (col. 15-41).

In reference to claims 3, 16, 42, 53, Neil discloses the claimed first and second circuits comprise integrated circuits, which is met by the conversion is accomplished by an analog-to-digital integrated circuit (col. 3, lines 29-55).

In reference to claims 4, 18, 54, Neil discloses the claimed first and second circuits comprise diode bridges, which is met by circuit 33 comprising operational amplifiers 34 and 35, resistors R5-R9 and diodes D1 and D2 (col. 8, lines 25-42).

In reference to claims 5, 7, 19, 31, 33, Neil discloses a third circuit adapted to supply local power, which is met by power supply 17 (col. 6, lines 44-49).

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In reference to claims 8, 22, 34, 45, 56, 64, Neil discloses the claimed communication signals comprise voice signals, which is met by voice interface circuit 16 (col. 7, lines 3-7).

In reference to claims 9, 23, 35, 46, 57, 65, Neil discloses the claimed communication signals comprise data signals, which is met by the state information (data) is transmitted via line 40' to indicate the state of each line (col. 10, lines 31-44).

In reference to claims 12, 26, 38, 49, 60, 68, Neil discloses the first and second pathways comprise LAN cable wires, which is met by a telephone system having at least one telephone line that extends between a central office and two or more telephone stations (col. 11, lines 53-67; col. 12, lines 1-21).

In reference to claims 13, 27, 39, 50, 61, 69, Neil discloses the claimed first and second pathways comprise terminal connections, which is met by the lines connected to amplifiers 20-23 are also connected to line switching and termination network 13 (col. 6, lines 44-66).

In reference to claim 17, Neil discloses the claimed first and second circuits comprise solid state devices, which is met by the line may be periodically connected to a detecting means in response to a solid state switch responsive to an oscillator (col. 3, lines 30-55).

In reference to claim 29, Neil discloses the claimed device comprises an IP telephone, which is met by a key telephone system 19 (col. 7, lines 50-64).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 20, 32, 44, 55, and 63, are rejected under 35 U.S.C. 103(a) as being unpatentable over Neil et al. (US Pat. 4,803,718) in view of Weinstein et al. (US Pat. 6,650,635 B1).

In reference to claim 6, 20, 28, 32, 44, 55, 63, Neil does not disclose the local power comprises AC power. Weinstein discloses a network telephone communication system including power that can be provided over the telephone network line 130 by a CIU providing AC power to the computer system 100 (col. 5, lines 22-60). Since both Neil and Weinstein disclose telephone networks comprising circuits used to control the voltage supplied throughout the lines, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of local power comprising AC power, as disclosed by Weinstein, with the system of Neil, to ensure that the power will continuously be supplied as well as allow for modulated information to be transmitted over the lines.

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5. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. McMullan, Jr. et al. (US Pat. 5,255,086) and Ewalt et al. (US Pat. 6,459,275 B1), which include network systems.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAVETTA W. GOINS
PRIMARY EXAMINER



D.W.G.

September 28, 2004

Davetta W. Goins
Primary Examiner
Art Unit 2632